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Client's Ref. No.: 2002P10197 US

REMARKS

Claims 1-18 are pending in this application, of which claims 1, 9 and 14 are independent. Favorable reconsideration and reexamination are respectfully requested in view of the foregoing amendments and following remarks.

As an initial matter, the title was objected to as not descriptive. In response, Applicants have amended the title as shown above. Withdrawal of this objection is therefore respectfully requested.

Turning to the art rejections, independent claim 1 was rejected under 35 U.S.C. § 103(a) for obviousness over Kontothanassis (U.S. Patent No. 7,149,807) in view of Chow, et al. (U.S. Patent No. 7,010,002; "Chow"). Applicants respectfully submit that Kontothanassis and Chow, either alone or in any proper combination, neither describe nor would have rendered obvious a publish-subscribe system including "a network configured to register a message subscription and an acknowledgement subscription, to process the message subscription and the acknowledgement subscription, to forward the message to the consumer based on the message subscription and to forward the acknowledgement to the producer based on the acknowledgement subscription," as recited in claim 1. On page 3, the Office Action acknowledges that "Kontothanassis does not explicitly disclose" the above feature. However, the Office Action relies on Chow to address this deficiency. Applicants respectfully disagree.

In this regard, claim 1 is directed toward a publish-subscribe system. The system includes a network configured to register a message subscription and an acknowledgement subscription (see, e.g., Summary). In one example, a subscription expresses what type of content is of interest to a consumer or a producer. As recited in claim 1, for a consumer application, a message subscription corresponds to a type of message content that is of interest to the consumer. In addition, for a producer application, an acknowledgement subscription corresponds to a type of acknowledgement content that is of interest to the producer (see, e.g., claim 1 and Specification at page 7, lines 12-14; at page 9, lines 17-26).

Chow is a "broadband network with enterprise wireless communication method for residential and business environment" (title). Chow states that it is a "network-centric service

distribution architecture and method that integrates a wireless access system/service in the residence, SOHO, business or public environment through the use of a local broadband network" (abstract). However, Chow neither describes nor would have rendered obvious "a network configured to register a message subscription and an acknowledgement subscription, to process the message subscription and the acknowledgement subscription, to forward the message to the consumer based on the message subscription and to forward the acknowledgement to the producer based on the acknowledgement subscription," as recited in claim 1. The Office Action relies on column 27, line 18 to column 28, line 18 of Chow for an alleged description of this feature. This passage corresponds to claim 12 of Chow, which reads as follows:

> 12. A computer-readable medium having computer-executable instructions for remotely implementing a message exchange between a first subscriber's Residential/Business Broadband Network (RBN) and a second subscriber's RBN, wherein the computer-executable instructions are executed on a processor and comprise the steps of:
>
> activating, by an originating user, a generating portable computer and calling a terminating computer using one of an IP address and a directory number (DN);
>
> generating, by the originating user, a first call origination-no-ring message and sending the first call origination-no-ring message to a network server platform (NSP);
>
> upon receiving the first call origination-no-ring message, registering by the NSP;
>
> mapping, where needed, by the NSP, the DN to the IP address, and confirming a location of the terminating computer;
>
> generating, by the NSP, a second call origination-no-ring message for the terminating computer and sending the second call origination-no-ring message to the terminating computer;
>
> upon receiving the second call origination-no-ring message, determining by the terminating computer if a call can be completed and, where the call can be completed, generating an OK message and sending the OK message to the NSP;
>
> upon receiving the OK message, forwarding, by the NSP, the OK message to the generating portable computer, instructing, by the NSP, a service provider's broadband transport network and a service provider's broadband packet network that the NSP has permission for an IP flow associated with the call;
>
> sending an acknowledgement, by the generating portable computer, to the terminating computer;
>
> requesting to reserve network resources, by the generating portable computer, to meet quality of service (QoS) requirements of the call;
>
> where said request to reserve network resources is successful, sending, by the generating portable computer, a call origination-ring message directly to the terminating computer;
>
> upon the terminating computer's receiving the call origination-ring message and successfully reserving network resources, generating RINGING to the generating portable computer and sending a RINGING message to the generating portable computer;
>
> playing, by the generating portable computer, an audible ringback tone to the originating user;
>
> upon the terminating computer's answering the call, sending, by the terminating computer, a second OK message to the generating portable computer;
>
> generating, by the terminating computer, packets of encoded voice and sending the packets in a first stream to the generating portable computer using the IP address and port number specified in the first call origination (no-ring) message;
>
> upon receiving the second OK message, responding, by the generating portable computer, with an ACK message;

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> playing, by the generating portable computer, the received first stream; and
>   generating, by the generating portable computer, packets of encoded voice and sending the packets in a second stream to the terminating computer using the IP address and port number specified in the second OK message to establish a voice path in both directions.

While Chow is directed to a "network," and claim 12 of Chow includes steps of, e.g., "generating" "messages" and "acknowledgements," it makes no mention of a network configured to, at the very least, register a message subscription and an acknowledgement subscription. Claim 12 of Chow, and in fact, Chow in its entirety, is silent on any network feature of a subscription, or otherwise an expression of what type of content is of interest to a consumer or a producer. Furthermore, in Chow, messages and acknowledgements are passed from client to client without concern for what type of content is of interest to a consumer or a producer.

For at least these reasons, Applicants submit that claim 1 is allowable over Kontothanassis in view of Chow. Claims 2-8 depend from claim 1, and are patentable over Kontothanassis in view of Chow for at least the same reasons.

Independent claim 9 was also rejected for obviousness over Kontothanassis over Chow. Applicants respectfully submit that Kontothanassis and Chow, either alone or in any proper combination, neither describe nor would have rendered obvious an API including instructions to "register an acknowledgement subscription for an acknowledgement to the message," as recited in claim 9. On page 5, the Office Action acknowledges that "Kontothanassis does not explicitly teach" instructions to register a subscription. However, the Office Action relies on column 26, line 35 to column 27, line 17 of Chow to allegedly describe registering a subscription. This passage corresponds to claims 8-11 of Chow, which read as follows:

> 8. A computer-readable medium having computer-executable instructions for remotely accessing a Residential/Business Broadband Network (RBN), wherein the computer-executable instructions are executed on a processor and comprise the steps of:
>   accessing the RBN of the subscriber;
>   communicating, after an authentication procedure, with the broadband home network of the subscriber to send a message to a device equipped with a wireless radio;
>   preparing and second, by an associated server, a command for the device to a network server platform (NSP);
>   translating, by the NSP, the command into the message;
>   retrieving, by the NSP, an Internet protocol (IP) address for an access port (AP) of the subscriber's RBN;

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wrapping the message in an IP message;
sending the IP message to the AP; .
receiving, by the AP, the IP message;
extracting the message;
sending the message to the device;
receiving the message by the device;
executing the command; and
where desired, notifying the subscriber of successful delivery of the message.

9. The computer-readable medium, according to claim 8, wherein the step of notifying the subscriber of successful delivery of the message comprises the steps of:
sending, by the device, an acknowledgement message;
receiving, by the AP, the acknowledgement message;
retrieving, by the AP, the IP address of the NSP;
wrapping, by the AP, the acknowledgement message in a second IP message;
forwarding the second IP message to the NSP;
translating, by the NSP, the acknowledgement message into a command acknowledgement message;
forwarding, by the NSP, the command acknowledgement message to the associated server; and
sending, by the NSP, the command acknowledgement message to the subscriber that the command for the device was successfully executed.

10. The computer-readable medium according to claim 8, wherein all non-IP messages are in short message format.

11. The computer-readable medium according to claim 6, wherein transcoding, by the AP, the stream that is received from the LTt to the TIA/EIA-136 coding scheme, if needed, for playback to the MS user and transcoding, if needed, the TIA/Eia-136 voice packets to packets of encoded voice, and sending them to the LTt using the IP address and port number specified in the 200 OK message, establishes the voice path in both directions.

While Chow is directed to a "network," and claims 8-11 include steps of, e.g., "notifying" and "sending" "acknowledgements," it makes no mention of an API configured to, at the very least, register a subscription for an acknowledgement to a message, more specifically, "an acknowledgement subscription." As similarly discussed above, claims 8-11 of Chow, and in fact, Chow in its entirety, is silent on any network feature of a subscription, or otherwise an expression of what type of content is of interest to a consumer or a producer. Indeed, in Chow, messages and acknowledgements are passed from client to client without concern for what type of content is of interest to a consumer or a producer.

For at least these reasons, Applicants submit that claim 9 is allowable over Kontothanassis in view of Chow. Claims 10-13 depend from claim 9, and are patentable over Kontothanassis in view of Chow for at least the same reasons.

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Independent claim 14 was also rejected for obviousness over Kontothanassis over Chow. Applicants respectfully submit that Kontothanassis and Chow, either alone or in any proper combination, neither describe nor would have rendered obvious an API including instructions to "receive a message from an interface according to a message subscription" and "forward the message to a consumer application according to an acknowledgement subscription," as recited in claim 14. As discussed above, the Office Action acknowledges that Kontothanassis does not teach a network configured for message subscriptions and acknowledgement subscriptions. Applicants further submit that Chow is silent on any network feature of a subscription, or otherwise an expression of what type of content is of interest to a consumer or a producer. Indeed, in Chow, messages and acknowledgements are passed from client to client without concern for what type of content is of interest to a consumer or a producer.

For at least these reasons, Applicants submit that claim 14 is allowable over Kontothanassis in view of Chow. Claims 15-18 depend from claim 14, and are patentable over Kontothanassis in view of Chow for at least the same reasons.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

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Please apply any fees or credits due in this case to Deposit Account 06-1050 referencing Attorney Docket No. 13909-110001.

Respectfully submitted,

Date: _Apr 20 2007_

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